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OFFICE OF PETITIONS

In re Patent No. RE37,588 :
Issue Date: 03/19/2002 :
Application Number: 09/506,458 :
Filing Date: 02/17/2000 :
Reissue of Patent No. 5,718,431 :
Issue Date: 02/17/1998 : DECISION ON PETITION
Application Number: 08/804,299 :
Filing Date: 02/21/1997 :
For: GAMING SYSTEM AND METHOD :
FOR MULTIPLE PLAY WAGERING :

This is a decision on the petition under 37 CFR 1.378(c),¹ filed on April 4, 2011, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **GRANTED**.

The original patent upon which the instant reissue patent is based issued on February 17, 1998.² The first and second maintenance fees were timely paid. The third maintenance fee could have been paid during the period from February 17, 2009 through August 17, 2009, or, with a surcharge, during the period from August 18, 2009, through March 19, 2010. The patent expired at midnight on March 19, 2010, for failure to timely pay the third maintenance fee.

Therefore, since this petition was filed within twenty-four (24) months of the six-month grace period provided in 37 CFR 1.362(e),

¹ 37 CFR 1.378(c) provides that a petition to accept an unintentionally delayed payment of a maintenance fee must be filed within twenty-four months of the six-month grace period provided in § 1.362(e) and must include:

- (1) The required maintenance fee set forth in § 1.20(e) through (g);
- (2) The surcharge set forth in § 1.20(I)(2); and
- (3) A statement that the delay in payment of the maintenance fee was unintentional.

² The periods for payment of maintenance fees in a reissue patent are counted from the date of grant of the original non-reissue application on which the reissued patent is based. See 37 CFR 1.362(h).

this petition was timely filed under the provisions of 37 CFR 1.378(c).

Accordingly, the maintenance fee in this case is hereby accepted and the above-identified patent is hereby reinstated as of the mail date of this decision.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3231.



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